

**Louisville Metro Council
Final Agenda**

Ordinance Numbers used this meeting: 46 - 48

Resolution Numbers used this meeting: None

**METRO COUNCIL SUMMARY ONLY
DETAILED MINUTES TO FOLLOW ON THE 4/25/13 COUNCIL AGENDA**

Members Roll Call:

(D) – Attica Scott (1)	(D) – Barbara Shanklin (2)	(D) – Mary C. Woolridge (3)
(D) – David Tandy (4)	(D) – Cheri Bryant Hamilton (5)	(D) – David James (6)
(R) – Kenneth C. Fleming (7)	(D) – Tom Owen (8)	(D) – Tina Ward-Pugh (9)
(D) – Jim King (10)	(R) – Kevin Kramer (11)	(D) – Rick Blackwell (12)
(D) – Vicki Aubrey Welch (13)	(D) – Cindi Fowler (14)	(D) – Marianne Butler (15)
(R) – Kelly Downard (16)	(R) – Glen Stuckel (17)	(R) – Marilyn Parker (18)
(R) – Jerry T. Miller (19)	(R) – Stuart Benson (20)	(D) – Dan Johnson (21)
(R) – Robin Engel (22)	(R) – James Peden (23)	(D) – Madonna Flood (24)
(D) – David Yates (25)	(D) – Brent Ackerson (26)	

EA = Excused Absence, AB = Absent, A = Arrived, L = Left

Meeting Date:

04/11/2013

Meeting Time:

6:00 PM

Location:

601 W. Jefferson Street
3rd Floor, City Hall
Louisville, KY 40202

President:

Jim King (10)

Pro-Tem:

David James (6)

Clerks:

H. Stephen Ott, CKMC and Chanelle Smith

Address to Council

1- Addresses to Council - April 11, 2013 – There were 0 Addresses to the Council (3 No shows).

Special Proclamation

2- Proclamation was presented by CM Stuckel - Homeownership Month

Council Minutes

3- Regular Council Minutes - March 28, 2013

Motion to approve made by CM Dan Johnson and seconded by CM David James.

By Voice Vote, the Council Minutes were **approved as written**.

Committee Minutes

4- Regular: Ad Hoc Committee on Land Development Code - April 8, 2013

5- Special: Budget - April 9, 2013

6- Regular: Committee of the Whole - March 28, 2013

7- Regular: Committee on Committees - April 9, 2013

8- Regular: Committee on Sustainability - March 28, 2013

Motion to approve made by CM James Peden and seconded by CM Kelly Downard.

By Voice Vote, the Committee Minutes were **approved as written**.

Consent Calendar

The Consent Calendar comprised of item 9. The Clerk provided a second reading.

Legislation forwarded from BUDGET

9- O-47-03-13 AN ORDINANCE APPROVING THE EIGHTEENTH SUPPLEMENTAL SEWER AND DRAINAGE REVENUE BOND AUTHORIZING RESOLUTION ADOPTED BY THE BOARD OF THE LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT (HEREINAFTER THE "DISTRICT") WHICH AUTHORIZES THE ISSUANCE OF THE DISTRICT'S SEWER AND DRAINAGE SYSTEM REVENUE BONDS, IN ONE OR MORE SERIES, (HEREINAFTER THE "CURRENT BONDS") FOR THE PURPOSE OF REFUNDING ALL OR A PORTION OF THE DISTRICT'S OUTSTANDING SERIES 2001A BONDS, SERIES 2004A BONDS AND SERIES 2005A BONDS AND PROVIDING FOR THE ADVERTISED PUBLIC COMPETITIVE SALE OF SAID CURRENT BONDS IN AN AMOUNT NOT TO EXCEED BOND PROCEEDS OF \$295,000,000.00. **(Ordinance 46, Series 2013)**

Committee: Budget

Status:

On Council Agenda - Consent Calendar
Action Required By September 2013

Primary Sponsor: Jim King

Motion to approve made by CM Kelly Downard and seconded by CW Mary C. Woolridge.

By a Roll Call Vote, the **Consent Calendar passed**.

VOTING RESULTS: For: 26; Against: 0; Abstain: 0; Absent: 0

For: Attica Scott, Barbara Shanklin, Mary C. Woolridge, David Tandy, Cheri Bryant Hamilton, David James, Kenneth C. Fleming, Tom Owen, Tina Ward-Pugh, Jim King, Kevin Kramer, Rick Blackwell, Vicki Aubrey Welch, Cindi Fowler, Marianne Butler, Kelly Downard, Glen Stuckel, Marilyn Parker, Jerry T. Miller, Stuart Benson, Dan Johnson, Robin Engel, James Peden, Madonna Flood, David Yates, Brent Ackerson

Against: (None)

Abstain: (None)

Absent: (None)

Old Business

10- O-17-02-13 AN ORDINANCE APPROVING TEXT AMENDMENTS TO SECTION 4.3 OF THE LAND DEVELOPMENT CODE ADDING A NEW SECTION 4.3.17 FOR COMMUNITY GARDENS AND ADDING A NEW SECTION 4.3.18 FOR MARKET GARDENS AND BEING IN METRO LOUISVILLE (CASE NO. 18335). (AS AMENDED) **(Ordinance 47, Series 2013)**

Committee:

Ad Hoc Committee on Land Development Code

Status:

On Council Agenda - Old Business
Action Required By August 2013

Primary Sponsor: Madonna Flood

Motion to approve made by CW Marianne Butler and seconded by CM James Peden.

By a Roll Call Vote, the amended **Ordinance passed.**

VOTING RESULTS: For: 26; Against: 0; Abstain: 0; Absent: 0

For: Attica Scott, Barbara Shanklin, Mary C. Woolridge, David Tandy, Cheri Bryant Hamilton, David James, Kenneth C. Fleming, Tom Owen, Tina Ward-Pugh, Jim King, Kevin Kramer, Rick Blackwell, Vicki Aubrey Welch, Cindi Fowler, Marianne Butler, Kelly Downard, Glen Stuckel, Marilyn Parker, Jerry T. Miller, Stuart Benson, Dan Johnson, Robin Engel, James Peden, Madonna Flood, David Yates, Brent Ackerson

Against: (None)

Abstain: (None)

Absent: (None)

11- O-42-03-13 AN ORDINANCE AMENDING THE FOLLOWING PROVISIONS INCLUDING TEXT AND TABLE REGULATIONS OF THE LAND DEVELOPMENT CODE AS PART OF A CONTINUING EFFORT TO UPDATE THE ZONING REGULATIONS FOR LOUISVILLE METRO: 4.1.3.B.6.c, 4.2.42.h, 4.2.50, 4.3.6, CHAPTER 5 THRESHOLD TABLES, 5.1.7.A, 5.2.3.D.3.a.iii, 5.2.1.C.3, 5.2.2.C.1.c, 5.2.2.C.1.d, TABLE 5.2.2, 5.2.3.D.3, 5.2.4.C.3, 5.2.5.C, TABLE 5.3.1, 5.3.2.C.2, 5.3.3.C.2, 5.3.5.C.3, 5.2.6.D.2.c, 5.4.1.B.1.a, 5.4.2.B.1.a, 6.1.3, 5.4.2.B.1.a, 5.4.2.B.1.b, and 10.2.16 (CASE NO. 17064).

(Ordinance 48, Series 2013)

Committee: Ad Hoc Committee on Land Development Code

Status:

On Council Agenda - Old Business

Action Required By September 2013

Primary Sponsor: James Peden

Motion to approve made by CW Mary C. Woolridge and seconded by CM Kelly Downard.

By a Roll Call Vote, the **Ordinance passed.**

VOTING RESULTS: For: 26; Against: 0; Abstain: 0; Absent: 0

For: Attica Scott, Barbara Shanklin, Mary C. Woolridge, David Tandy, Cheri Bryant Hamilton, David James, Kenneth C. Fleming, Tom Owen, Tina Ward-Pugh, Jim King, Kevin Kramer, Rick Blackwell, Vicki Aubrey Welch, Cindi Fowler, Marianne Butler, Kelly Downard, Glen Stuckel, Marilyn Parker, Jerry T. Miller, Stuart Benson, Dan Johnson, Robin Engel, James Peden, Madonna Flood, David Yates, Brent Ackerson

Against: (None)

Abstain: (None)

Absent: (None)

New Business

The Clerk provided a first reading of the following legislation and their assigned Committees:

Legislation assigned to AD HOC COMMITTEE ON LAND DEVELOPMENT CODE

12- O-62-04-13 AN ORDINANCE AMENDING THE FOLLOWING PROVISIONS INCLUDING TEXT AND TABLE REGULATIONS OF THE LAND DEVELOPMENT CODE AS PART OF A CONTINUING EFFORT TO UPDATE THE ZONING REGULATIONS FOR LOUISVILLE METRO: 5.3.4.D.5, 5.3.5.C.4, 5.5.2.C.1, 5.5.2.C.2, 5.5.4.A.2, 10.2.16, 5.6.2.G.1, 5.8.1.B, APPENDIX 6A – 1.3.C.2.b, TABLE 8.3.2 (TNFD), 9.1.14.A, AND 9.1.13.B.1 (CASE NO. 17064).

Committee: Ad Hoc Committee on Land Development Code

Status:

On Council Agenda - New Business
Action Required By October 2013

Primary Sponsor: James Peden

Legislation assigned to APPROPRIATIONS, NDFS AND CIFS

13- O-54-04-13 AN ORDINANCE APPROPRIATING \$5,001 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \$2,500 FROM DISTRICT 3; \$2,000 FROM DISTRICT 12; \$501 FROM DISTRICT 14; THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE CATHOLIC CHARITIES OF LOUISVILLE, INC. FOR COSTS ASSOCIATED WITH THE REFUGEE AGRICULTURAL PARTNERSHIP PROGRAM.

Committee: Appropriations NDFs and CIFS
Status: On Council Agenda - New Business
Primary Sponsor: Rick Blackwell
Mary C. Woolridge
Cindi Fowler

14- O-55-04-13 AN ORDINANCE APPROPRIATING \$17,950 FROM DISTRICT NEIGHBORHOOD DEVELOPMENT FUNDS AS FOLLOWS: \$2,500 FROM DISTRICT 7; \$2,000 EACH FROM DISTRICTS 4, AND 12; \$1,500 FROM DISTRICT 3; \$1,200 FROM DISTRICT 17; \$1,000 EACH FROM DISTRICTS 10, 13, 15, 16, AND 19; \$750 FROM DISTRICT 6; AND \$500 EACH FROM DISTRICTS 1, 11, 14, 18, 20, AND 22, THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO VOLUNTEERS OF AMERICA OF KENTUCKY, INC., FOR PURCHASING SAFE AND BUG-RESISTANT MATTRESSES AND METAL BED RAILS AND FRAMES FOR FAMILY EMERGENCY SHELTERS IT OPERATES IN THE LOUISVILLE METRO AREA.

Committee: Appropriations NDFs and CIFS
Status: On Council Agenda - New Business
Action Required By October 2013
Primary Sponsor: Rick Blackwell
Kenneth C. Fleming
David Tandy
Mary C. Woolridge
Glen Stuckel
Jim King
Vicki Aubrey Welch
Marianne Butler
Kelly Downard
Jerry Miller
David James
Attica Scott
Kevin Kramer
Cindi Fowler
Marilyn Parker
Stuart Benson
Robin Engel

Legislation assigned to BUDGET

15- O-59-04-13 AN ORDINANCE AMENDING ORDINANCE NO. 120, SERIES 2012 AND ORDINANCE NO. 119, SERIES 2012 RELATING TO THE FISCAL YEAR 2012-13 OPERATING AND CAPITAL BUDGET FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, BY AUTHORIZING VARIOUS TRANSFERS AND ADDITIONAL APPROPRIATIONS AS DETAILED HEREIN.

Committee: Budget
Status: On Council Agenda - New Business
Action Required By October 2013
Primary Sponsor: Marianne Butler

16- R-80-04-13 A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT FUNDING IN THE FORM OF INSURANCE RECOVERY FOR THE FLOODING OF METRO HALL THAT RESULTED FROM A BURST WATER PIPE IN MARCH 2013.

Committee: Budget
Status: On Council Agenda - New Business
Action Required By October 2013
Primary Sponsor: Marianne Butler

17- O-60-04-13 AN ORDINANCE AMENDING ORDINANCE NO. 119, SERIES 2012, RELATING TO THE FISCAL YEAR 2012-13 CAPITAL BUDGET FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT BY AMENDING LANGUAGE PERTAINING TO LOUISVILLE ZOO IMPROVEMENTS.

Committee: Budget
Status: On Council Agenda - New Business
Action Required By October 2013
Primary Sponsor: Marianne Butler

Legislation assigned to COMMITTEE ON CONTRACTS

18- R-71-04-13 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL PROFESSIONAL SERVICE CONTRACT - (UNIVERSITY OF LOUISVILLE PHYSICIANS, INC. - \$30,000.00).

Committee: Committee on Contracts
Status: On Council Agenda - New Business
Action Required By October 2013
Primary Sponsor: Robin Engel

19- R- 78-04-13 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL SOLE SOURCE CONTRACT – (PRIORITY DISPATCH CORPORATION - \$80,000.00).

Committee: Committee on Contracts
Status: On Council Agenda - New Business
Action Required By October 2013
Primary Sponsor: Robin Engel

20- R- 79-04-13 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED AMENDMENT TO PROFESSIONAL SERVICE CONTRACT - (UNIVERSITY OF LOUISVILLE PHYSICIANS, INC. - \$30,000.00 FOR A NEW NOT-TO-EXCEED AMOUNT OF \$49,000.00).

Committee: Committee on Contracts
Status: On Council Agenda - New Business

Primary Sponsor: Action Required By October 2013
Robin Engel

Legislation assigned to LABOR AND ECONOMIC DEVELOPMENT

21- R-72-04-13 A RESOLUTION APPROVING THE GRANTING OF LOCAL INDUCEMENTS TO BOYD COMPANY, LLC PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 32.

Committee: Labor & Economic Development
Status: On Council Agenda - New Business
Action Required By October 2013
Primary Sponsor: David Tandy

22- R-73-04-13 A RESOLUTION APPROVING THE GRANTING OF LOCAL INDUCEMENTS TO HOSKIN AND MUIR, INC. DBA CARDINAL SHOWER ENCLOSURES PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 32.

Committee: Labor & Economic Development
Status: On Council Agenda - New Business
Action Required By October 2013
Primary Sponsor: David Tandy

23- R-74-04-13 A RESOLUTION APPROVING THE GRANTING OF LOCAL INDUCEMENTS TO MICHTER'S DISTILLERY, LLC PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 32.

Committee: Labor & Economic Development
Status: On Council Agenda - New Business
Action Required By October 2013
Primary Sponsor: David Tandy

24- R-75-04-13 A RESOLUTION APPROVING THE GRANTING OF LOCAL INDUCEMENTS TO THETA TECH SOLUTIONS, LLC PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 32.

Committee: Labor & Economic Development
Status: On Council Agenda - New Business
Action Required By October 2013
Primary Sponsor: David Tandy

25- R-76-04-13 A RESOLUTION APPROVING THE GRANTING OF LOCAL INDUCEMENTS TO VENCHURS VEHICLE SYSTEMS, LLC PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 32.

Committee: Labor & Economic Development
Status: On Council Agenda - New Business
Action Required By October 2013
Primary Sponsor: David Tandy

26- R-77-04-13 A RESOLUTION AMENDING RESOLUTION NUMBER 33, SERIES 2013 THE GRANTING OF LOCAL INDUCEMENTS TO JUST FABULOUS, INC. TO INCLUDE ITS AFFILIATE HEELS, INC. PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 32.

Committee: Labor & Economic Development
Status:

On Council Agenda - New Business
Action Required By October 2013
Primary Sponsor: David Tandy

Legislation assigned to PLANNING/ZONING, LAND DESIGN AND DEVELOPMENT

27- O-56-04-13 AN ORDINANCE CHANGING THE ZONING FROM R-5 RESIDENTIAL SINGLE FAMILY TO R-6 RESIDENTIAL MULTI-FAMILY ON PROPERTY LOCATED AT 811 LOUIS COLEMAN JR. DRIVE CONTAINING A TOTAL OF 0.096 ACRES, AND BEING IN LOUISVILLE METRO (CASE NO. 17273).

Committee: Planning/Zoning Land Design & Development
Status: On Council Agenda - New Business
Action Required By June 21, 2013
Primary Sponsor: Madonna Flood

28- O-57-04-13 AN ORDINANCE CHANGING THE ZONING FROM EZ-1 ENTERPRISE ZONE TO M-3 INDUSTRIAL LOCATED AT 1851 OUTER LOOP, CONTAINING A TOTAL OF 4.3 ACRES, AND BEING IN LOUISVILLE METRO (CASE NO. 17389).

Committee: Planning/Zoning Land Design & Development
Status: On Council Agenda - New Business
Action Required By June 21, 2013
Primary Sponsor: Madonna Flood

29- O-58-04-13 AN ORDINANCE CHANGING THE ZONING FROM R-4 RESIDENTIAL SINGLE FAMILY TO OR OFFICE/RESIDENTIAL ON PROPERTY LOCATED AT 9100 FERNDAL ROAD CONTAINING 0.509 ACRES, OF WHICH 0.387 ACRES IS PROPOSED TO BE REZONED, AND BEING IN LOUISVILLE METRO (CASE NO. 18314).

Committee: Planning/Zoning Land Design & Development
Status: On Council Agenda - New Business
Action Required By June 21, 2013
Primary Sponsor: Madonna Flood

Legislation assigned to PUBLIC SAFETY

30- R-70-04-13 A RESOLUTION APPROVING AN INTERLOCAL COOPERATIVE AGREEMENT BETWEEN THE JEFFERSON COUNTY SHERIFF'S OFFICE AND OLDHAM COUNTY POLICE DEPARTMENT.

Committee: Public Safety
Status: On Council Agenda - New Business
Action Required By October 2013
Primary Sponsor: Jim King

President King announced a technical correction on the following item; the time should be "10 A.M." rather than 11 A.M. The Clerk made the correction in the title and will correct in the content.

31- O-61-04-13 AN ORDINANCE AMENDING SECTIONS 113.40 AND 113.42 ALLOWING SUNDAY SALES TO OCCUR FOR RETAIL BY THE DRINK AT RESTAURANTS AT 10 A.M.

Committee: Public Safety
Status: On Council Agenda - New Business

Primary Sponsor: Action Required By October 2013
David Tandy, Jim King, Kevin Kramer, Rick Blackwell

For Reintroduction Only

32- O-212-10-12 AN ORDINANCE CREATING NEW SECTIONS OF LMCO CHAPTER 156 RELATING TO CREDITORS OF FORECLOSED PROPERTIES REGISTERING THEIR PROPERTIES AND BEING NOTIFIED OF PROPERTY MAINTENANCE/NUISANCE VIOLATIONS ON THEIR PROPERTIES AND TAKING CORRECTIVE ACTION TO GET THOSE PROPERTIES INTO COMPLIANCE, IF NECESSARY.

Committee: Ad Hoc Committee on Vacant Properties

Status: On Council Agenda - Reintroduction Only
Action Required By October 2013

Primary Sponsor: Rick Blackwell

Adjournment

Motion to adjourn made by CM Tom Owen and seconded by CW Vicki Aubrey Welch. Without objection the meeting **adjourned at 6:27 PM EST.**

Announcements

Council District announcements were made by CM Tom Owen, CW Vicki Aubrey Welch, CW Bryant Hamilton, and CW Woolridge.